

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT and HARLENE HOROWITZ, On
Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

-against-

AMERICAN INTERNATIONAL GROUP,
INC., *et al.*

Defendants.

**ECF CASE
09 CV 7312 (PAC) (THK)**

**NOTICE OF MOTION TO DISMISS
THE SECOND AMENDED CLASS
ACTION COMPLAINT**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that upon the annexed Declaration of Michael B. Carlinsky, dated January 22, 2010, and exhibits attached thereto, and the accompanying Memorandum of Law, the undersigned will move this Court before the Honorable Paul A. Crotty, United States District Judge for the Southern District of New York, in Courtroom 20C at the Daniel Patrick Moynihan United States Courthouse located at 500 Pearl Street, New York, New York, on a date to be scheduled by the Court, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Second Amended Class Action Complaint with prejudice and granting such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that, pursuant to Rule 6.1 of the Local Civil Rules for the Southern and Eastern Districts of New York and the schedule set by the Court at the conference held on January 5, 2010, answering papers, if any, must be served on the undersigned

on or before February 23, 2010 and reply papers, if any, must be served on or before March 8, 2010.

DATED: New York, New York
January 22, 2010

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

By: /s/ Michael B. Carlinsky
Michael B. Carlinsky (Bar No. MC-6594)
Jane M. Byrne (Bar No. JB-6748)

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